

MINUTES
TENNESSEE BOARD OF OSTEOPATHIC EXAMINATION
March 30, 2004

A regular meeting of the Tennessee Board of Osteopathic Examination was held in the Cumberland Room located on the Ground Floor of the Cordell Hull State Office Building on March 30, 2004.

Members Present: Jill Robinson, DO, Thomas Ely, DO, Donald H. Polk, DO, Paul Smith Jr., DO and Andy Chagaris

Members Absent: None

Staff Present: Rosemarie Otto, Medical Board Director, Ms. LaTonya Shelton, Administrator, Ms. Marsha Arnold, Manager, and Robert Kraemer, Advisory Attorney.

The Board convened at 9:09 am, with the President, Dr. Ely, presiding. He determined that a quorum of members was present in order to conduct Board business.

Ratify Minutes of Previous Meeting

Dr. Smith made a motion to approve the minutes from the November 11, 2002 meeting. Dr. Robinson seconded the motion. The vote carried unanimously.

Disciplinary Report

The Board reviewed the disciplinary report submitted by Ms. Lea Phelps, Disciplinary Coordinator. Mr. Chagaris motioned to accept this report and Dr. Robinson seconded the motion. The vote carried unanimously.

Managers Report

Ms. Rosemarie Otto, Executive Director for the Medical Board read her report to the Board. Ms. Otto informed the Board that the Governor appointed Mr. Rafael M. Sanchez, DO to replace Dr. Samuel J. Chung. Ms. Otto also reported that the Osteopathic Board was one of several health-related boards on the audit list.

Investigative Report

The Board reviewed the investigative report submitted by Ms. Lea Phelps, Disciplinary Coordinator of the Office of Investigations. Mr. Chagaris motioned to accept this report and Dr. Robinson seconded the motion. The vote carried unanimously.

There were no complaints for Midwifery.

Office of General Counsel Report

Mr. Kraemer read his report to the Board and reported that there were three rules at the Attorney General's Office. Mr. Kraemer stated that there were, as of March 30, 2004, a total of seven open disciplinary cases in the Office of General Counsel. Mr. Chagaris motioned to accept this report and Dr. Robinson seconded the motion. The vote carried unanimously.

Financial Report

The Board reviewed the financial report submitted by Ms. Lisa Tittle, Director of Administrative Services. The Board requested a more detailed report at the next meeting showing a break down of income. Dr. Robinson motioned to accept this report and Dr. Smith seconded the motion. This vote carried unanimously.

Application Review

Dr. David Joseph Ellis, DO-Dr. Ellis was not present for this meeting. Dr. Ellis was licensed in the State of Georgia and answered yes to questions 1, 5, 8, 11(c) and 12 of the application. Mr. Parrish reported that Dr. Ellis has a contract with Tennessee Medical Foundation (TMF) and was informed by TMF to clear up problems in the State of Georgia before they could fully advocate for him. Dr. Robinson motioned to deny license and Dr. Smith seconded the motion. The vote carried unanimously.

Rulemaking Hearing

Mr. Kosten, Rules Coordinator, held a roll call vote to adopt the amended rule 1050-1-.10 concerning licensure discipline and civil penalties. Mr. Kosten also informed the board how the new rule would effect the proceedings concerning hearings and civil penalties. Dr. Robinson motioned to hold a roll call vote to adopt the amended rule and Mr. Chagaris seconded the motion. The amended rule was accepted by a unanimous roll call vote.

Mr. Jerry Kosten, Rule Coordinator informed the Board that the Tennessee Medical Foundation (TMF) made a suggestion regarding the Record Retention Rule. This rule will reduce the number of patients that will have to be notified by the physician. Dr. Smith made a motion to hold a Rule Making Hearing and Dr. Robinson seconded the motion. The vote was unanimous.

General Discussion

Dr. Dodd, executive director emeritus of Tennessee Medical Foundation introduced Vince Parrish a Licensed Clinical Social Worker who will be assisting Dr. Roland Gray at TMF.

File Review of New Licenses and Reinstatements

Dr. Michael Lee Armstrong, DO had been asked to appear before the board before he could be approved for licensure. Dr. Smith made a motion to grant a license to Dr. Armstrong. Dr. Robinson seconded the motion. The vote was unanimous.

Dr. John Roger Anderson, DO had been asked to appear before the board for an interview before obtaining licensure. Dr. Smith made a motion granting Dr. Anderson, the opportunity to appear at the May 26, 2004 Board meeting because of his failure to appear. Dr. Robinson seconded the motion. The vote was unanimous.

Ratification of New Licenses ,Reinstatement and Fail to renew

Mr. Chagaris made a motion to ratify new osteopathic physicians licenses issued. Dr. Polk seconded the motion. The vote was unanimous.

There were no licenses to be ratified for Midwifery.

Noteworthy

Nothing to report.

The next scheduled meeting is May 26, 2004 at 9:00 a.m. in the Cumberland Room.

The meeting adjourned at 10:35 am.

Approved this 26th day of May, 2004 by the Tennessee Board of Osteopathic Examination.

Donald H. Polk, D.O.
Secretary

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